

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ANTHONY THREATT,

Petitioner,

Case Number: 06-CV-11742

v.

HON. GEORGE CARAM STEEH

THOMAS BIRKETT,

Respondent.

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**ORDER DENYING APPLICATION FOR APPOINTMENT OF COUNSEL  
AND MOTION FOR APPOINTMENT OF COUNSEL**

Petitioner Anthony Threatt has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, alleging that he is incarcerated in violation of his constitutional rights. Before the Court are Petitioner's Application for Appointment of Counsel [Dkt. # 10] and Motion for Appointment of Counsel [Dkt. #11].

There exists no constitutional right to the appointment of counsel in civil cases, and the court has broad discretion in determining whether counsel should be appointed. Childs v. Pellegrin, 822 F.2d 1382, 1384 (6<sup>th</sup> Cir. 1987) ("[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.") (internal quotation omitted). A habeas petitioner may obtain representation at any stage of the case "[w]henever the United States magistrate or the court determines that the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B). In the instant case, the Court determines after careful consideration that the interests of justice do not require appointment of counsel at this time.

Accordingly, **IT IS ORDERED** that Petitioner's Application for Appointment of

Counsel [Dkt. #10] and Motion for Appointment of Counsel [Dkt. #11] are **DENIED WITHOUT PREJUDICE**. The Court will reconsider appointing counsel if it determines at a later date that such appointment is necessary.

Dated: September 22, 2006

S/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 22, 2006, by electronic and/or ordinary mail.

S/Josephine Chaffee  
Deputy Clerk